

## **REMARKS:**

Claims 1-8 and 10-32 are presented for examination, with claims 1, 5-8, 11, 13-15, 20 and 29-32 having been amended hereby, and claim 9 having been cancelled (without prejudice or disclaimer).

Reconsideration is respectfully requested of the rejection of claims 1-8 and 10-32 under 35 U.S.C. 102(b) as allegedly being anticipated by U.S. Patent Publication 2002/0198813, hereinafter "Patterson" (of note, the cancellation of claim 9 has rendered its rejection moot).

Initially, it is noted that applicants do not necessarily concur with the Examiner in the Examiner's analysis of the claims (as they existed even before amendment hereby) and the Patterson reference.

For example, it is noted that each of independent claims 1, 15, 20 and 30-32 had recited (even before amendment hereby) the following feature:

- "automatically identifying cross trading opportunities between one or more of the buy orders and one or more of the sell orders" (emphasis added)

It is respectfully submitted that Patterson does not teach, show or even suggest the claimed automatically identifying such cross trading opportunities.

In contrast, it appears from Patterson that the floor broker must manually review and identify any cross trading opportunities.

Further, it is noted that each of independent claims 1, 15, 20 and 30-32 had recited (even before amendment hereby) the following feature:

- "visually displaying ... a graphical representation of the cross trading opportunities which illustrates the quantity available for cross trading at each price across a predetermined price per unit range" (emphasis added)

It is respectfully submitted that Patterson does not teach, show or even suggest the claimed graphical representation of the cross trading opportunities which illustrates the quantity available for cross trading at each price across a predetermined price per unit range.

Nevertheless, in order to expedite prosecution of the application, each of independent claims 1, 15, 20 and 30-32 has been amended hereby to more clearly recite certain patentably distinct features of the present invention.

More particularly, each of the independent claims now recites, *inter alia*, the following features (which had last been recited in now-cancelled claim 9):

- “wherein the graphical representation comprises an axis including indicia identifying prices within the price per unit range, and one or more bars displayed adjacent to the axis, wherein at any given point along the axis, a size of the bar in a direction perpendicular to the axis corresponds to the quantity available for cross trading at the price associated with said given point along the axis” (emphasis added)

It is respectfully submitted that these explicitly claimed features related to the graphical representation comprising an axis identifying prices within the price per unit range, one or more bars displayed on the axis and the size of the bar in a perpendicular direction corresponding to a quantity available for cross trading is simply not taught, shown or even suggested by Patterson.

In addition, it is respectfully submitted that a number of the dependent claims recite further patentably distinct subject matter.

For example, it is noted that dependent claim 2 recites that “in response to the price selection, the visual display is frozen for up to a predetermined period of time or until the execution instruction is received”. It is respectfully submitted that this feature is not shown in Patterson. If the Examiner is of a different opinion, it is respectfully submitted that the Examiner cite where, in particular, this freezing of the visual display feature is shown in Paterson.

Similarly, it is noted that dependent claim 3 recites that “the predetermined period of time is no more than 90 seconds”. Again, it is respectfully submitted that this feature is not shown in Patterson. If the Examiner is of a different opinion, it is respectfully submitted that the Examiner cite where, in particular, this 90 second time period is shown in Paterson.

Likewise, it is noted that dependent claim 4 recites that “the predetermined period of time is no more than 30 seconds.” Again, it is respectfully submitted that this feature is not shown in Patterson. If the Examiner is of a different opinion, it is respectfully submitted that the Examiner cite where, in particular, this 30 second time period is shown in Paterson.

Further, it is noted that each of dependent claims 25-27 recites that “the predetermined price per unit range is at least equal to a current spread of the given financial instrument for a lesser of a total quantity of the buy orders and a total quantity of the sell orders”. It is respectfully submitted that this feature is not shown in Patterson. If the Examiner is of a different opinion, it is respectfully submitted that the Examiner cite where, in particular, this predetermined price per unit range equaling a current spread for a lesser of a total quantity of the buy orders and a total quantity of the sell orders feature is shown in Paterson.

Further still, it is noted that dependent claim 29 recites that “the predetermined price per unit range is at least equal to a current spread between a best bid and offer for the given financial instrument inclusive of the best bid and offer”. It is respectfully submitted that this feature is not shown in Patterson. If the Examiner is of a different opinion, it is respectfully submitted that the Examiner cite where, in particular, this predetermined price per unit range equaling a current spread feature is shown in Paterson.

Therefore, it is respectfully submitted that the rejection of claims 1, 15, 20 and 30-32 (as well as claims 2-8, 10-14, 16-19 and 21-29, depending therefrom) under 35 U.S.C. 102(b) as allegedly being anticipated by Patterson has been overcome.

Finally, it is noted that this Amendment is fully supported by the originally filed application and thus, no new matter has been added. For this reason, the Amendment should be entered.

Favorable reconsideration is earnestly solicited.

Respectfully submitted,  
GREENBERG TRAURIG, LLP

Dated: December 21, 2007

By: /Matthew B. Tropper/  
Matthew B. Tropper  
Registration No. 37,457

Mailing Address:  
GREENBERG TRAURIG, LLP  
MetLife Building  
200 Park Avenue  
New York, NY 10166  
Phone: (212) 801-2100  
Facsimile: (212) 801-6400